

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**DEFAULT JUDGMENT IN A CIVIL CASE**

**BRICKLAYERS AND ALLIED CRAFTWORKERS  
LOCAL 2, ALBANY, NEW YORK PENSION FUND,**  
by its Administrator, Stephen J. O'Sick,  
**BRICKLAYERS AND ALLIED CRAFTWORKERS  
LOCAL 2, ALBANY, NEW YORK HEALTH  
BENEFIT FUND,** by its Administrator, Stephen J.  
O'Sick, **BRICKLAYERS AND ALLIED CRAFTSMEN  
LOCAL 2 ANNUITY FUND,** by its Administrator,  
Stephen J. O'Sick, **BRICKLAYERS AND ALLIED  
CRAFTWORKERS LOCAL 2, ALBANY, NEW YORK  
EDUCATION & TRAINING FUND,** by its Trustees,  
Robert Mantello, Pasquale Tirino, Luke Renna,  
Michael Suprenant, J.D. Gilbert, Thomas Marinello,  
Todd Helfrich and Laura Regan, **BRICKLAYERS AND  
TROWELTRADES INTERNATIONAL PENSION FUND,**  
by David Stupar, Executive Director, **BRICKLAYERS  
AND ALLIED CRAFTWORKERS LOCAL 2, ALBANY,  
NEW YORK, AFL-CIO,** by Robert Mantello, President

Plaintiffs

vs.

**CASE NUMBER: 1:13-CV-201 (DNH/RFT)**

**MOULTON MASONRY & CONSTRUCTION,  
LLC and DUANE E. MOULTON,** individually  
and as an Officer of Moulton Masonry & Construction, LLC

Defendants

**Decision by Court.** This action came to a hearing before the Court. The issues have been heard and a decision has been rendered.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

IT IS ORDERED AND ADJUDGED

That plaintiffs' motion for default judgment is GRANTED in its entirety. Defendants' cross-motion to vacate the entry of default is DENIED in its entirety. Default judgment is entered in favor of plaintiffs and against defendants in a total amount of \$622,135.21. This includes \$451,300.52 in fringe benefit contributions and deductions for the period of 7/1/2009 through 3/31/2013; \$104,628.81 in interest through 10/21/2013; \$99,203.93 in liquidated damages; and \$7,001.95 in attorneys' fees and costs.

All of the above pursuant to the order of the Honorable Judge David N. Hurd, dated the 2<sup>nd</sup> day of January, 2014.

DATED: January 3, 2014

  
Clerk of Court

s/ Nicole Killius  
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Deputy Clerk